

(7) (1)
CHH

BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH
AT BILASPUR

In the Matter of W.P.NO. 2347/2003.

PETITIONERS

1. Chungru, S/o Shri Barsai Uraon, aged about 65 years.
2. Deonath, son of Shri Seema Uraon, aged about 50 years.
3. Inder Sai, son of Shri Dokri, aged about 38 years.
4. Jonne, son of Shri Chungru, aged about 40 years.
5. Bhojram, son of Shri Balakram, aged about 40 years
6. Sukhram, son of Shri Budhu, aged about 42 years.
7. Madan, son of Shri Seema, aged about 41 years.
8. Tejram, son of Shri Roopan, aged about 39 years.
9. Bihanu, son of Shri Laddhu, aged about 53 years.
10. Dahiram, son of Shri Dukhi, aged about 52 years.
11. Beetu, son of Shri Dukhi, aged about 45 years.
12. Vakeel, son of Shri Chungru, aged about 42 years.
13. Gannu, son of Shri Asaram, aged about 45 years.

P. R. No. 2196/02
Presented by Shri A. N. Bhande.
dated 31.03.03



(8) (2)

✓ All are residence of village -
Sisringa, Tah. Dharamjaigarh,
Distt. Raigarh (Chhattisgarh).

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through :
Secretary, Department of Forest,
Mantralay, D.K.S. Bhawan,
Raipur (Chhattisgarh).
2. Conservator of Forest, Bilaspur
Division, Bilaspur (Chhattisgarh).
3. District Collector, Raigarh, (CG)
4. District Forest Settlement Officer,
Distt. Raigarh, Through : D.F.O.,
Raigarh (Chhattisgarh).
5. District Forest Officer, Distt.
Raigarh (Chhattisgarh).
6. The Sub Divisional Officer
(Forest), Dharamjaigarh, Distt.
Raigarh (Chhattisgarh).
7. The Sub Divisional Officer
(Revenue), Dharamjaigarh, Distt.
Raigarh (Chhattisgarh).
8. Forest Range Officer,
Dharamjaigarh, Distt. Raigarh
(Chhattisgarh).

PETITION UNDER ARTICLE 226/227 OF THE
CONSTITUTION OF INDIA

आदेश पत्रक
W.P.No. 2347/03
मामला क्रमांक सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>28.8.2003</u> Petitioners by Shri A. N. Bhakta, Advocate. Respondents/ State by Shri Ranbir Singh, Govt. Advocate. The petitioners have filed this petition under Article 226/227 of the Constitution of India with the averment that except petitioner No.13 all the petitioners belong to ab-original tribe community, they are landless persons and permanently residing at village-Shishringa, Tehsil- Dharamjaigarh, District Raigarh. The petitioners by their dint of hardworking have improved some piece of forest land into agriculture land bearing forest compartment No. 298 and 299 range. The petitioners' further case is that they are cultivating the aforesaid land prior to 24.10.1980 which is the only means of their livelihood. The Department of Forest has also initiated an encroachment proceeding against the petitioners and imposed fine of Rs.500/- on 30.10.1978 vide Annexure P/1. The petitioners made several representations before the forest department for settlement of the forest land in their favour. A notice was issued on 22.12.1994 to conduct survey about the encroachment for the proposed settlement. The notice is annexure P/2. But the representations of the petitioners have not been finalized by the Respondents No. 4 and 5. Then the petitioners again made a representation on 9th October 2001. It is therefore requested that the respondents may be directed to make settlement of the aforesaid land for the respective possession of the petitioners and make ensure the settlement of the forest land in favour of the petitioners.	1 3

आदेश पत्रक

W.P. No. 2347/03

सामग्री क्रमांक

सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
E K	I have heard learned counsel for the petitioners and learned counsel for the State. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case the petitioners are allowed to make a further representation raising all their pleas and grievances before the Respondent No.4 within a period of 15 days from today. The respondent No.4 is directed that after receipt of the representation he will get an enquiry conducted based on the representation and decide the same by an appropriate order in an objective manner looking to the prevailing practice and rights of the petitioners. With the above observations this petition is disposed of finally. Consequently M(W)P No. 2159/2003 and I.A. No. 7259/2003 also disposed of.	Sd/- L.C.BHADOO Judge

Thee

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